

EXHIBIT 18

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

STATE OF OKLAHOMA, et al.)	
)	
Plaintiffs,)	
)	
vs.)	05-CV-0329 TCK-SAJ
)	
TYSON FOODS, INC., et al.,)	
)	
Defendants.)	

**TYSON FOODS, INC.'S SUPPLEMENTAL RESPONSE TO PLAINTIFF'S
FIRST SET OF INTERROGATORIES**

COMES NOW Defendant TYSON FOODS, INC. (hereinafter referred to as "Defendant" or "Tyson Foods"), and for its Supplemental Response to Plaintiffs' First Set of Interrogatories states as follows:

GENERAL OBJECTIONS

1. Each of the following responses is made without waiving any objections Defendant may have with respect to the subsequent use of these answers or any documents identified in response to these requests.

2. Tyson Foods objects to, and does not agree to, or agree to subject itself to, the arbitrary and extraordinary "definitions" ascribed by the Plaintiff to certain terms as set forth in its First Set of Interrogatories. Tyson Foods instead ascribes to the ordinary, every day and reasonably, commonly understood meanings which apply to such terms, and also which comply with the Federal Rules of Civil Procedure. Tyson Foods objects to the definitions to the extent they assume facts not in evidence or related to facts or contentions in dispute in the action. Tyson Foods also specifically objects to the Plaintiff's definition of "Defendant" as it is overly

broad and includes within its scope "Contract Growers." Tyson Foods submits these answers and responses for itself and not for any other person or entity.

3. Tyson Foods specifically reserves the following: (1) all questions and objections as to the competency, relevance, materiality and admissibility of any documents identified in response to these requests; (2) the right to object to the use of these responses or information disclosed herein in any hearing in this proceeding or in any subsequent suit or proceeding; (3) the right to object to other discovery procedures involving or relating to these responses or information disclosed herein; and (4) the right, at any time, upon proper showing, to revise, correct or clarify any of the responses set forth herein.

4. Tyson Foods objects to any purported requirements of Plaintiff's discovery requests that are beyond the requirements of the Federal Rules of Civil Procedure.

5. Tyson Foods objects to any discovery request that seeks a response, document, information or items covered by the attorney-client privilege, the "work product" doctrine and/or any matters prepared in anticipation of litigation or for trial by or for Tyson Foods or its agents.

6. Tyson Foods objects to any discovery request that seeks a response that would disclose mental impressions, conclusions, opinions or legal theories of any representative of or attorney for Tyson Foods concerning this lawsuit.

7. Tyson Foods also incorporates as though fully restated herein all objections and limitations to responses made by every other defendant to the corresponding interrogatories.

These General Objections are incorporated in Tyson Foods's responses as if specifically set forth therein. Stating specific objections to a particular discovery request does not in any way waive the General Objections.

INITIAL STATEMENT

The following responses and objections are based upon facts now known. Tyson Foods has not yet completed discovery in this matter and therefore will supplement these responses and objections to the extent required by the Federal Rules of Civil Procedure.

INTERROGATORIES

INTERROGATORY NO. 1: For each of your poultry growing operations in the IRW since 1952, please provide the following information:

- a. name and physical location of the operation;
- b. dates of operation;
- c. type of operation (breeder, broiler, layer, etc.);
- d. number of birds (aggregated annually) at each location; and,
- e. name of the owner and operator.

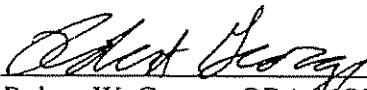
RESPONSE TO INTERROGATORY NO. 1: Tyson Foods objects to Interrogatory No. 1 as it is overly broad in scope and time and, therefore, overly burdensome. Tyson Foods does not possess information sufficient to answer Interrogatory No. 1 as it seeks information extending back to 1952. Tyson Foods further objects to the time period of Interrogatory No. 1 as it seeks information that is neither relevant to Plaintiff's claims nor is Interrogatory No. 1 likely to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objections and its General Objections, Tyson Foods states that it has not contracted with any poultry growing operations since 2002. Subject to and without waiving the foregoing objections and its General Objections, Tyson Foods states that its subsidiary Tyson Breeders, Inc. has contracted with poultry growing operations, and responds with information regarding poultry growing operations with which Tyson Breeders, Inc. has contracted for the rearing of poultry in

the IRW from 2002 to the present:

- a. See attached chart.
- b. Tyson Foods states that neither it nor its subsidiary Tyson Breeders, Inc. has sufficient information to answer subpart (b) completely. Flock transfer registers and grower contracts contain information of the dates in which such poultry growing operations were in operation. Grower contracts were produced herein on June 15, 2006, and additional grower contracts will be produced as they are identified. Example of grower contracts are located at Bates numbers TSN20641SOK – TSN20645SOK and TSN22675SOK – TSN22680SOK. Flock transfer registers will be produced as they are identified. An example of a flock transfer register is attached hereto and Bates numbered TSN87430SOK – TSN87431SOK.
- c. See attached chart.
- d. Pursuant to Federal Rule of Civil Procedure 33(d), see flock transfer registers, which will be produced as they are identified.
- e. See attached chart.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I certify that on the 29th day of December 2006, I electronically transmitted the foregoing documents to following:

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I also hereby certify that I served the foregoing documents by United States Postal Service, proper postage paid, on the following:

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Secretary of the Environment
State of Oklahoma
3800 North Classen
Oklahoma City, OK 73118
COUNSEL FOR PLAINTIFFS


Robert W. George

Tyson Breeders, Inc.

Operation Name	Owner/Operator Name	Address	City	State	ZIP Code	Type of Operation
Johnny Lor 1	Johnny Lor	21219 John Elrod Drive	Siloam Springs	AR	72761	Pullet
Johnny Lor 2	Johnny Lor	21219 John Elrod Drive	Siloam Springs	AR	72761	Pullet
B&C Farm	Ralph Blythe	5952 Elm Springs Road	Springdale	AR	72762	Pullet
Bear Inc.	Darrell Walker	15078 Cincinatti Creek Road	Siloam Springs	AR	72761	Pullet
	Darrell Walker	15078 Cincinatti Creek Road	Siloam Springs	AR	72761	Pullet
	Darrell Walker	15078 Cincinatti Creek Road	Siloam Springs	AR	72761	Pullet
	Darrell Walker	15078 Cincinatti Creek Road	Siloam Springs	AR	72761	Pullet
	Harold Walker	15078 Cincinatti Creek Road	Siloam Springs	AR	72761	Pullet
Thompson Farms	John Thompson	1647 Vantrass Farm Road	Springdale	AR	72764	Pullet
	Aubrey and Clara Mae Cuzick					
Green Acres Farm	Wesley Sigmon	10738 South Old Road	Cincinnati	AR	72744	Pullet
	Jamie Lewis	15006 Osage Creek Road	Springdale	AR	72762	Hen
	Coy Bartlett	21394 Griggs Road	Springdale	AR	72762	Hen
	Charles Hughes	5612 W. Wheeler Road	Fayetteville	AR	72703	Hen
	Ray Hodge	12884 Little Road WC 15	Lincoln	AR	72744	Hen
R & R Hodge Farm Inc.	Jackie Sparkman	19008 Strawberry Plant Road	Fayetteville	AR	72701	Hen
	Arlis Pennel	16750 E. Breeder Road	Prairie Grove	AR	72753	Hen
	Va Vang	16902 Greasy Valley	Canehill	AR	72717	Hen
	Shane Tawr	20403 Shady Grove Road	Gentry	AR	72734	Hen
Cheeseheadsville	John LaHue	10768 Elms Road	Summers	AR	72769	Hen
Harmon Hen Farm	Por Moua	2826 Gray Avenue	Springdale	AR	72762	Hen
P.X.M. Farm	Donald VanGorp	16782 Robinson Road	Siloam Springs	AR	72761	Hen
Don Van Gorp	Michael Anderson	18994 Vineyard Road	Canehill	AR	72717	Hen
Illinois Chapel	Moua Yang	10886 Gifford Road	Prairie Grove	AR	72753	Hen
Phone Samay Thao	Neng Thao	16363 Bethel Heights Road	Gentry	AR	72734	Hen
Thao Family Farm	Al Zaccanti	15156 Old HWY 68	Siloam Springs	AR	72761	Hen
A & Z #1	Moa Moua Xiong	14096 Ham Road	Summers	AR	72769	Hen
MX Farm	Four U Farm	14096 Ham Road	Summers	AR	72769	Hen
Four U Farm	Mehdi Zalfi	16299 W. Munyon	Canehill	AR	72717	Hen
Medd's Farm		8311 W. Brown Road	Lowell	AR	72745	Hen
		Take Hwy. 62 west from Lincoln for approximately two miles. Turn right into driveway. The farm is approximately .25 miles down the driveway.				
Gilbert Farm	Clara Mae Cuzick and Mark Cuzick		Lincoln	AR	72744	Pullet

TYSON OF SPRINGDALE, AR
Flock Transfer Register

macka

Week Ending: 02/09/2002

Grower Division: 0013000412 SPRINGDALE PULLET DIVISION

From Grower Number: 79000 Flock Id: 17 THOMPSON #1.SPRINGDALE

*** Partial Flock Transfer ***

Main Contract Start Date Main Contract End Date

No Data

No Data

Transfer Date: 02/08/2002

Placed Date: 09/17/2001

25 Week Date: 03/11/2002

23 week Date: 03/17/2002

Birds					Cost			
	Started	On Hand	Mortality	Moved	Cost	Account And Description	Units	Amounts
Hens	39,500	38,349	14	0	94,755.80	643830 PULLET CHICK PLACEMENTS	44,000.00	112,857.05
Males	4,500	4,275	0	1,204	18,101.25	643831 PULLET FEED DELIVERY	775,260.00	45,077.19
Total	44,000	42,624	14	1,204	112,857.05	643834 PULLET GROWER PAY	0.00	40,359.33
						643838 PULLET SUPERVISION	0.00	5,325.65
						643843 PULLET SPRAY/SANITATION	0.00	508.00
						643868 PULLET VACCINES/DEBEAKING	0.00	17,369.60
						643875 PULLET OTHER MISCELLANEOUS	0.00	7.50
						*** Totals ***	819,260.00	221,504.32

To Grower Division: 0013000443 SPRINGDALE PULLET DIVISION

To Grower Division: 0013000412 SPRINGDALE PULLET DIVISION

To Grower Number: 79900 Flock Id: 6 SPIKE HOUSE,

Date Moved Main Contract Start Date Main Contract End Date Contract Check

02/08/2002

Not Enough Data

Birds					Cost			
	Started	Percent	Moved	Cost	Bred	Account And Description	Units	Amounts
Hens	0	0.00000	0	0.00	0	643830 PULLET CHICK PLACEMENTS	1,267 00	5,097 99
Males	1,267	28.15560	1,204	5,097.99	16	643831 PULLET FEED DELIVERY	21,905 97	1,273.72
Total	1,267	2 87955	1,204.00	5,097 99		643834 PULLET GROWER PAY	0 00	1,140.40
						643838 PULLET SUPERVISION	0.00	150.48
						643843 PULLET SPRAY/SANITATION	0.00	14.35
						643868 PULLET VACCINES/DEBEAKING	0.00	490.80
						643875 PULLET OTHER MISCELLANEOUS	0.00	0.21
						*** Totals ***	23,172.97	8,167 95
						*** Totals For To-Grower ***	23,172 97	8,167 95

TYSON OF SPRINGDALE, AR
Flock Transfer Register

macka

Week Ending: 02/09/2002

Grower Division: 0013010409 SPRINGDALE HEN DIVISION

From Grower Number: 50450 Flock Id: 1 E & E FARM,

*** Head Flock Transfer ***

Main Contract Start Date Main Contract End Date

02/03/2006

02/03/2009

Transfer Date: 02/08/2002

Placed Date: 11/06/2000

25 Week Date: 04/30/2001

Birds					Cost	
	Started	On Hand	Mortality	Moved	Cost	
Hens	8,157	7,040	15	0	20,833.09	
Males	960	637	8	400	3,350.94	
Total	9,117	7,677	23	400	23,984.03	

Account And Description	Units	Amounts
643531 HEN FEED DELIVERY	689,860.00	41,326.07
643532 HEN AMORTIZATION	0.00	51,156.24
643534 HEN GROWER PAY	0.00	35,171.82
643537 HEN MEDICATION	0.00	57.50
643538 HEN SUPERVISION	0.00	3,774.60
643539 HEN LITTER	0.00	1,200.00
643540 HEN SUPPLIES	0.00	25.01
643543 HEN SPRAY/SANITATION	0.00	111.66
643575 HEN OTHER MISCELLANEOUS	0.00	40.01
643590 HEN CULL EGG CREDIT	4,215.00	-1,053.69
*** Totals ***	694,075.00	131,809.02

To Grower Division: 0013010409 SPRINGDALE HEN DIVISION

To Grower Number: 50560 Flock Id: 1 FRIEND ANDY

*** Capitalized Flock *** Data Capt: 09/01/2001

Date Moved Main Contract Start Date Main Contract End Date Contract Check

02/08/2002

Not Enough Data

Birds					Cost	
	Started	Percent	Moved	Cost	Bred	
Hens	0	0.00000	0	0.00	0	
Males	305	31.77080	200	0.00	4	
Total	305	3.34540	200.00	0.00		

Account And Description	Units	Amounts
*** Totals ***		

To Grower Division: 0013010409 SPRINGDALE HEN DIVISION

To Grower Number: 59000 Flock Id: 34 ALABAM FARM,

*** Capitalized Flock *** Data Capt: 08/04/2001

Date Moved Main Contract Start Date Main Contract End Date Contract Check

02/08/2002

Not Enough Data

Birds					Cost	
	Started	Percent	Moved	Cost	Bred	
Hens	0	0.00000	0	0.00	0	
Males	305	31.77080	200	0.00	4	
Total	305	3.34540	200.00	0.00		

Account And Description	Units	Amounts
*** Totals ***		

*** Totals For To-Grower ***

CONFIDENTIAL

TSN87431SOK